



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/511,991	02/24/2000	Elise Taylor	1659.0930000	5220

26694 7590 05/30/2003
VENABLE, BAETJER, HOWARD AND CIVILETTI, LLP
P.O. BOX 34385
WASHINGTON, DC 20043-9998

EXAMINER

TRIEU, VAN THANH

ART UNIT	PAPER NUMBER
2632	19

DATE MAILED: 05/30/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/511,991

Applicant(s)

TAYLOR ET AL.

Examiner

Van T Trieu

Art Unit

2632

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM

THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 24 April 2003.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-25 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
- 1) Certified copies of the priority documents have been received.
 - 2) Certified copies of the priority documents have been received in Application No. _____.
 - 3) Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.

- 4) Interview Summary (PTO-413) Paper No(s) _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

DETAILED ACTION

Claim Objections

1. Claim 11 is objected to because of the following informalities: the phrase "he" in line 2 is incorrect. Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 4 recites the limitation "the Internet" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was

not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 1, 2, 6-19, 21, 22 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Vercellotti et al** [US 5,317,309] in view of **Fullerton et al** [US 5,677,927].

Regarding claim 1, **Vercellotti et al** discloses an electronic identification system having RF tag 4 attached to a person entering a portal/entrance 1 to secured area. A plurality of RF receiver 8 having antennas 5, 6 and transmitter 11 with antenna 12 are located at the portal/entrance 1 or within the secured area for interrogating with the RF tag 4 to identify the RF tag 4 and to determine the position of the RF tag 4. The correlation information of identification and position related to a person carrying RF tag 4 are received and computed at the portal/entrance 1 and displayed on a display 10, see Figs. 1 and 2, col. 1, lines 9-18, col. 2, lines 15-55, col. 3, lines 28-61, col. 5, lines 1-48. But **Vercellotti et al** fails to disclose the ultra wideband impulse radio positioning devices. However, **Vercellotti et al** teaches that the RF beacons 8, 11 with antennas 5, 6 and 12 are used to determine the position of a person carrying an RF tag 4 to enter the portal/entrance 1 of a secured area, see Figs. 1 and 2, col. 1, lines 9-18 and col. 3, lines 46-61. **Fullerton et al** discloses an impulse radio communications system using ultra-wideband impulse radio transmitter 901 uses one or more sub-carriers to communicate intelligent information signal 1020 including digital bits representing voice, data, imagery, or the like, analog signals or complex signals in the form of UWB impulse

Application/Control Number: 09/511,991

Art Unit: 2632

radio transmitter to a remote UWB impulse radio receiver 903. The UWB impulse radio communications system is for use in a wide variety of applications, including personal communication systems and in-building communications systems, such as medical and military devices that low power consumption, reuse of available spectrum, channels and cost are four of the main issue, see Figs. 10-19, 21-24, col. 1, lines 12-16, col. 2, lines 11-29, col. 3, lines 1-55, col. 4, lines 1-9, col. 6, lines 36-62, col. 7, lines 10-20, col. 13, lines 54-67, col. 14, lines 1-37, col. 21, lines 28-61, col. 24, line 16-58 and col. 28, lines 1-17. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to substitute the UWB impulse radio communication system of **Fullerton et al** for the RF beacons or interrogations of **Vercellotti et al** because the UWB impulse radio communications system is for use in a wide variety of applications, including personal communication systems and in-building communications systems, such as medical and military devices that low power consumption, reuse of available spectrum, channels and cost are four of the main issue. The UWB impulse radio communication systems can be used for obtaining information relating to a person, a child, and/or a patient with higher accuracy and reliability of communications there between.

Regarding claim 6, all the claimed subject matters are discussed between **Vercellotti et al** and **Fullerton et al** in respect to claim 1 above, and the UWB impulse radio TAG (the remote monitoring unit utilizing of UWB impulse radio communication system)

Art Unit: 2632

Regarding claim 7, all the claimed subject matters are discussed between **Vercellotti et al** and **Fullerton et al** in respect to claim 6 above, wherein it is obvious a user choice to include the gender of the entrant into the information data stored in the RF tag 4.

Regarding claim 8, all the claimed subject matters are discussed between **Vercellotti et al** and **Fullerton et al** in respect to claim 6 above, wherein it is obvious a use choice to include the age of the entrant into the information data stored in the RF tag 4.

Regarding claim 9, all the claimed subject matters are discussed between **Vercellotti et al** and **Fullerton et al** in respect to claim 6 above, wherein it is obvious a use choice to include the physical description of the entrant into the information data stored in the RF tag 4, such as a patient.

Regarding claim 10, all the claimed subject matters are discussed between **Vercellotti et al** and **Fullerton et al** in respect to claim 6 above, wherein it is obvious a use choice to include the primary height of the person into the information data stored in the RF tag 4.

4.

Regarding claim 11, all the claimed subject matters are discussed between **Vercellotti et al** and **Fullerton et al** in respect to claim 6 above, wherein it is obvious a use choice to include the indication of whether the child is accompanied by a parent or guardian into the information data stored in the RF tag 4 because the public place or security

Application/Control Number: 09/511,991

Art Unit: 2632

area required under age children need to be accompanied by parents, guardian or teacher.

Regarding claim 12, all the claimed subject matters are discussed between **Vercellotti et al** and **Fullerton et al** in respect to claim 6 above, wherein it is obvious to a use choice to use the identification system at the theme park in order to monitor persons and/or children in a play ground or state park.

Regarding claim 13, all the claimed subject matters are discussed between **Vercellotti et al** and **Fullerton et al** in respect to claim 6 above, wherein it is obvious to a use choice to use the identification system at the shopping mall for monitoring its particular customers or membership customers.

Regarding claim 14, all the claimed subject matters are discussed between **Vercellotti et al** and **Fullerton et al** in respect to claim 6 above, and the office building is met by the government facilities, industrial sites or work areas, see col. 1, line 21-26.

Regarding claim 15, all the claimed subject matters are discussed between **Vercellotti et al** and **Fullerton et al** in respect to claim 6 above, wherein it is obvious to a use choice to use the identification system at the prison area because the prison areas require a very high security to check every single persons/individuals entering/leaving the prison area.

Application/Control Number: 09/511,991

Art Unit: 2632

Regarding claim 16, all the claimed subject matters are discussed between **Vercellotti et al** and **Fullerton et al** in respect to claim 6 above, and the conventional center is read upon the government facilities, see col. 1, line 21.

Regarding claim 17, all the claimed subject matters are discussed between **Vercellotti et al** and **Fullerton et al** in respect to claim 6 above, wherein it is obvious to a use choice to use the identification system at the zoo because the zoo is a private or public place that requires permission to enter.

Regarding claim 18, all the claimed subject matters are discussed between **Vercellotti et al** and **Fullerton et al** in respect to claim 6 above, wherein museum park is read upon the government facilities, see col. 1, line 21.

Regarding claim 19, all the claimed subject matters are discussed between **Vercellotti et al** and **Fullerton et al** in respect to claim 1 above, and the interface is met by the memory interface and the serial data encoder and decoder, see Fig. 2.

Regarding claim 21, all the claimed subject matters are discussed between **Vercellotti et al** and **Fullerton et al** in respect to claim 19 above.

Art Unit: 2632

Regarding claim 22, all the claimed subject matters are discussed between **Vercellotti et al** and **Fullerton et al** in respect to claim 19 above.

Regarding claim 23, all the claimed subject matters are discussed between **Vercellotti et al** and **Fullerton et al** in respect to claim 19 above.

Regarding claim 25, all the claimed subject matters are discussed between **Vercellotti et al** and **Fullerton et al** in respect to claim 6 above, wherein the microprocessor 2406, Fig. 24 of **Fullerton et al** which is substituted for the electronic circuit 14 of **Vercellotti et al** for reducing physical size of the circuit and minimizing space.

4. Claims 3, 4, 20 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Vercellotti et al** and **Fullerton et al** and further in view of **Schlager et al** [US 5,963,130]

Regarding claim 3, **Vercellotti et al** fails to disclose the manual input of personal information into a computer in response to questions from an attendant at an entrance to the predetermined area. However, according to the combination of **Vercellotti et al** and **Fullerton et al** in respect to claim 1 above, wherein the identification information of a person carrying RF tag 4 is automatically received and displayed on a display 10 at the portal/entrance 1, see Figs. 1 and 2. **Schlager et al** suggest that a self-locating remote monitoring system 750 comprising a keyboard 1360 for entering data information and preferred location or region of a person, child, parolee and/or patient to

Art Unit: 2632

be monitored, see Figs. 2, 3, 6-8 and 43, col. 28, lines 8-31. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to adapt the keyboard of **Schlager et al** for entering data information related to a person carrying RF tag at the portal/entrance of **Vercellotti et al** and **Fullerton et al** so that authorized person or attendant can update information and track of people entering and/or leaving the secured area.

Regarding claim 4, **Vercellotti et al** fails to disclose input the personal information via the Internet. However, according to the combinations between **Vercellotti et al** and **Fullerton et al** and **Schlager et al** in respect to claim 4 above, wherein **Schlager et al** also suggests that the information of a person, child, parolee and/or patient can be connected to the communication networks or internet via a modem 1060, see Fig. 28, col. 22, lines 34-54. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the security system of **Vercellotti et al** with the modem for connecting to internet network such as of **Schlager et al** in order to provide convenience and flexibility to an authorized person or attendant to get the personal information of guests or coming individuals in advance from the internet.

Regarding claim 5, all the claimed subject matters are discussed between **Vercellotti et al** and **Fullerton et al** and **Schlager et al** in respect to claim 4 above, such as the modem and computer.

5. Claims 20 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Vercellotti et al** and **Fullerton et al** and further in view of **Frink** [US 5,933,079]

Regarding claim 20, **Vercellotti et al** fails to disclose the activating an alarm when an entrant is in a particular position within a predetermined area. However, a **Vercellotti et al** teaches that physical position of an entrant is monitored and displayed on a display 10, see Fig. 1, col. 3, lines 46-61. **Frink** suggests that a monitoring system comprises a plurality of UWB devices 52, 54, 56 and transponder 58 and a computer 60 to determine the location or position of an individual or a child that entering a prohibited zone, the computer control signal a receiver to produce a loud sound alarm to warn the parent or guardian, see Figs. 1-6, col. 1, lines 32-39, col. 4, lines 63-65 and col. 5, lines 1-4. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to adapt the alarm of **Frink** to the display **Vercellotti et al** and **Fullerton et al** in order to prevent of unauthorized person or child entering of the security areas or restricted areas.

Regarding claim 24, all the claimed subject matters are discussed between **Vercellotti et al** and **Fullerton et al** and **Frink** in respect to claims 19 and 20 above.

Response to Arguments

6. Examiner is very regrettably to have a new ground of rejection because, a new reference of **Vercellotti et al** is combined with **Fullerton et al** to make the rejection

Art Unit: 2632

smoother, wherein the UWB impulse radio communications systems can be adapted to use on a wide variety of applications including military, personnel and patient for monitoring and/or tracking of a person, a child under monitored at the portal/entrance.

7. There was an error in the entry of Power of Attorney mailed on 23 April 2003.

Therefore it has been deleted and not made of record.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to primary examiner **Van Trieu** whose telephone number is (703) 308-5220. The examiner can normally be reached on Mon-Fri from 7:00 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. **Danial Wu** can be reached on (703) 308-6730.

The office facsimile number is (703) 872-9314.



Van Trieu
Primary Examiner
Date: 5/29/03